

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA SEP 23 PM 12: 24  
JASPER DIVISION

U.S. DISTRICT COURT  
N.D. OF ALABAMA

DAVID E. COMPTON,

Plaintiff,

vs.

CV 98-P-1709-J

STATE OF ALABAMA BOARD OF  
PARDONS AND PAROLES,

Defendants.

SEP 23 1998

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on August 28, 1998, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failure to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on September 16, 1998.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 23<sup>rd</sup> day of Sept, 1998.

  
SAM C. POINTER, JR.  
UNITED STATES DISTRICT JUDGE

8